

EXHIBIT

A

EXHIBIT A

Court of Common Pleas of Philadelphia County

Trial Division

Civil Cover Sheet

For Prothonotary Use Only (Docket Number)

NOVEMBER 2021

E-Filing Number: 2111034563

001377

PLAINTIFF'S NAME JEANNE JEAN. CHARLES	DEFENDANT'S NAME WAL-MART STORES, EAST, L.P.	
PLAINTIFF'S ADDRESS 3622 BELLAIRE PLACE PHILADELPHIA PA 19154	DEFENDANT'S ADDRESS 702 SW 8TH STREET BENTONVILLE AR 72716	
PLAINTIFF'S NAME	DEFENDANT'S NAME WAL-MART STORES, INC.	
PLAINTIFF'S ADDRESS	DEFENDANT'S ADDRESS 702 SW 8TH STREET BENTONVILLE AR 72716	
PLAINTIFF'S NAME	DEFENDANT'S NAME WAL-MART STORES, EAST, INC.	
PLAINTIFF'S ADDRESS	DEFENDANT'S ADDRESS 702 SW 8TH STREET BENTONVILLE PA 72716	
TOTAL NUMBER OF PLAINTIFFS 1	TOTAL NUMBER OF DEFENDANTS 3	COMMENCEMENT OF ACTION <input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Petition Action <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Writ of Summons <input type="checkbox"/> Transfer From Other Jurisdictions
AMOUNT IN CONTROVERSY <input type="checkbox"/> \$50,000.00 or less <input checked="" type="checkbox"/> More than \$50,000.00	COURT PROGRAMS <input type="checkbox"/> Arbitration <input type="checkbox"/> Jury <input checked="" type="checkbox"/> Non-Jury <input type="checkbox"/> Other	<input type="checkbox"/> Mass Tort <input type="checkbox"/> Savings Action <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Commerce <input type="checkbox"/> Minor Court Appeal <input type="checkbox"/> Statutory Appeals <input type="checkbox"/> Settlement <input type="checkbox"/> Minors <input type="checkbox"/> W/D/Survival

CASE TYPE AND CODE

2S - PREMISES LIABILITY, SLIP/FALL

STATUTORY BASIS FOR CAUSE OF ACTION

RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)

**FILED
PRO PROTHY**IS CASE SUBJECT TO
COORDINATION ORDER?

YES NO

NOV 17 2021

S. RICE

TO THE PROTHONOTARY:

Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: JEANNE JEAN CHARLES

Papers may be served at the address set forth below.

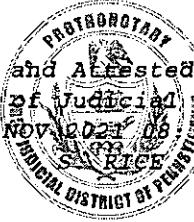
NAME OF PLAINTIFF'S/PETITIONER'S/APPELLANT'S ATTORNEY TYLER TOMLINSON	ADDRESS 777 TOWNSHIP LINE ROAD SUITE 120 YARDLEY PA 19067
PHONE NUMBER (267) 907-9600	FAX NUMBER (267) 907-9659
SUPREME COURT IDENTIFICATION NO. 766678	E-MAIL ADDRESS ttomlinson@stark-stark.com

SIGNATURE OF FILING ATTORNEY OR PARTY TYLER TOMLINSON	DATE SUBMITTED Wednesday, November 17, 2021, 08:30 am
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STARK & STARK

By: R. Tyler Tomlinson, Esquire
 Attorney I.D. #76678
 777 Township Line Road, Suite 120
 Yardley, PA 19067
 Telephone: 267-907-9600
 Fax: 267-907-9659
 Email: ttomlinson@stark-stark.com

Attorney for Plaintiff
 Filed and Accepted by the
 Office of Judicial Records
 17 NOV 2021 08:30 am



Jeanne Jean Charles

3622 Bellaire Place
Philadelphia, PA 19154

: IN THE COURT OF COMMON PLEAS
 : OF PHILADELPHIA COUNTY, PA
 : CIVIL DIVISION

Plaintiff

: NO.

v.

:

WAL-MART STORES, EAST, L.P.

702 SW 8th Street

Bentonville, AR 72716

and

WAL-MART STORES, INC.

702 SW 8th Street

Bentonville, AR 72716

and

WAL-MART STORES, EAST, INC.

702 SW 8th Street

Bentonville, AR 72716

: NON JURY TRIAL DEMANDED

Defendants

NOTICE TO DEFEND

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may be entered against you by the court without further notice for any money claims in this complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Lawyer Referral and Information Service
 1101 Market Street, 11th Floor
 Philadelphia, PA 19107-2911
 (215) 238-6333

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días de plazo al partir de la fecha de la demanda y la notificación. Hace falta asentir una comparecencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Se avisa que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO IMMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

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 1101 Market Street, 11th Floor
 Philadelphia, PA 19107-2911
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STARK & STARK, P.C.

BY: Tyler Tomlinson, Esquire, Atty I.D. #76678
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TTomlinson@stark-stark.com

Attorneys for Plaintiff

Jeanne Jean Charles	:	IN THE COURT OF COMMON PLEAS
3622 Bellaire Place	:	OF PHILADELPHIA COUNTY, PA
Philadelphia, PA 19154	:	CIVIL DIVISION
Plaintiff	:	
v.	:	NO.
	:	
WAL-MART STORES, EAST, L.P.	:	
702 SW 8 th Street	:	
Bentonville, AR 72716	:	
and	:	
WAL-MART STORES, INC.	:	
702 SW 8 th Street	:	
Bentonville, AR 72716	:	
and	:	NON JURY TRIAL DEMANDED
WAL-MART STORES, EAST, INC.	:	
702 SW 8 th Street	:	
Bentonville, AR 72716	:	
Defendants	:	

CIVIL ACTION COMPLAINT
PREMISES LIABILITY

1. Plaintiff, Jeanne Jean Charles, is an adult individual residing in the Commonwealth of Pennsylvania at 3622 Bellaire Place, Philadelphia, PA 19154.
2. Defendants, Wal-Mart Stores, East, L.P., Wal-Mart Stores, Inc., and Wal-Mart Stores, East, Inc. (hereinafter collectively referred to as "Wal-Mart"), are corporations, fictitious names, or similar entities qualified to do business in the City of Philadelphia and the Commonwealth of Pennsylvania, with a principal place of business at 702 SW 8th Street, Bentonville, Arkansas, 72716.
3. Defendants regularly conduct business in Philadelphia County and are subject to venue here pursuant to Pennsylvania Rule of Civil Procedure 2179.

4. At all times material to Plaintiff's cause of action, Wal-Mart Defendants were the owners, operators, possessors, maintainers and/or in control of the Wal-Mart Store located at in Philadelphia, PA (hereinafter "subject Wal-Mart Store").

5. All of the acts alleged to have been done or not to have been done by the Defendants were done or not done by the Defendants, their agents, servants, workmen and/or employees acting within the course and scope of their employment and authority for and on behalf of said Defendants.

6. On or about December 10, 2020, Plaintiff, was a business invitee of Defendants and the subject Wal-Mart Store and, while exercising due care and caution for her own safety, was walking through the store shopping when suddenly and without warning Plaintiff was caused to slip, trip, stumble and fall due to a large spill of a foreign substance on Defendants' floor in their aisles.

7. As a result of the aforesaid, Plaintiff's sustained serious, painful and permanent injuries as more particularly described herein.

Count I
Plaintiff vs. Defendants

8. Plaintiff hereby incorporates the above referenced paragraphs, as fully as though the same were set forth here at length.

9. The negligence and carelessness of the Defendants consisted of the following:

- (a) that although Defendants knew, or in the exercise of reasonable care should have known that such a dangerous and/or hazardous condition existed, Defendants failed to warn Plaintiffs through the posting of warning signs, and gave no notice whatsoever to customers and potential customers including Plaintiffs, of the presence of the dangerous and/or hazardous condition;
- (b) failing to provide a safe premises for patrons such as Plaintiffs under the circumstances then and there existing;
- (c) failing to provide safe and clear aisles at the subject Wal-Mart Store,

particularly in the aisles;

- (d) failing to properly supervise maintenance activities on the premises;
- (e) failing to identify and remedy the dangerous condition posed by the dangerous conditions and the subject Wal-Mart Store in a timely manner;
- (f) failing to take steps to secure or otherwise remedy the dangerous condition posed by the foreign substance in the subject Wal-Mart Store;
- (g) failing to warn Plaintiffs, of the existence of the dangerous condition posed by the foreign substance, which Defendants caused and/or allowed to remain in their aisle at the subject Wal-Mart Store;
- (h) failing to inspect the premises of the subject Wal-Mart Store to ensure that the dangerous condition posed by the foreign substance in their aisle did not exist on the premises to the point that this would become a dangerous and/or hazardous condition;
- (i) allowing the common aisles of the subject Wal-Mart Store to become and remain in a dangerous and/or hazardous condition for unreasonable amounts of time;
- (j) failing to use reasonable and prudent care to keep the premises at the subject Wal-Mart Store in a safe condition;
- (k) failing to have the premises at the subject Wal-Mart Store inspected at reasonable intervals;
- (l) allowing a dangerous and/or hazardous condition to exist on and in the premises of the subject Wal-Mart Store;
- (m) failing to instruct their employees, statutory employees and/or agents as to the proper care, maintenance and control of the premises of the subject Wal-Mart Store;
- (n) allowing the dangerous condition posed by the spill in the aisle to exist at the subject Wal-Mart Store;
- (o) failing to have adequate policies and procedures in place to ensure that the premises of the subject Wal-Mart Store were kept free from hazardous and/or dangerous conditions during the period of time when the public was invited and/or permitted to walk and/or traverse the premises;
- (p) failing to ensure that its agents, servants and/or employees followed any existing policies and procedures to ensure that the premises of the subject Wal-Mart Store were kept free from hazardous and/or dangerous conditions during the time when the public was invited and/or permitted to

walk and/or traverse through the premises; and

(q) failing to keep the property owned, occupied, maintained and/or controlled by Defendants, and held open for invitees, in a reasonable and safe condition in violation of various codes, laws and ordinances, including but not limited to applicable Philadelphia codes and ordinances.

10. Defendants knew or should and could have known of the dangerous condition then existing on their premises.

11. Plaintiffs' fall and resultant injuries were caused by the aforesaid acts of negligence on the part of Defendants or their agents, servants and/or employees, who failed to utilize reasonable care in the maintenance of the subject Wal-Mart Store.

12. As a result of the aforesaid, Plaintiff, sustained injuries to her back, neck, head and knees, together with a severe shock to her nerves and nervous system, some or all of which Plaintiff has been advised are or may be permanent in nature.

13. As a result of the accident aforesaid, the Plaintiff has undergone great physical pain and mental anguish and she may continue to endure the same for an indefinite time in the future to her great detriment and loss.

14. As a further result of the accident aforesaid, the Plaintiff has been compelled to expend large sums of money for medicine and medical care in an effort to effect a cure of her injuries, and she may be compelled to continue to expend such sums for the same purposes for an indefinite time in the future, to her great detriment and loss.

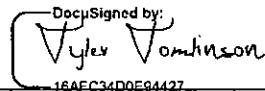
15. As a result of the accident aforesaid, the Plaintiff has been unable to attend to her usual and daily duties and occupation and she will be unable to attend to the same for an indefinite time in the future, to her great detriment and loss.

16. As a further result of the aforesaid, Plaintiff has suffered a loss and depreciation of her earnings and earning power, ands he may continue to suffer the same for an indefinite time in the future, to her great detriment and loss.

WHEREFORE, Plaintiff demands that judgment be entered against the Defendants, for damages, including, but not limited to, delay damages, interest, and costs of suit for an amount in excess of \$50,000.00, and any further relief as the Court may deem just and proper.

**STARK & STARK
A Professional Corporation**

By: _____

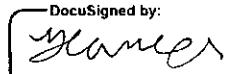

16AFC34D0E94427

TYLER TOMLINSON, ESQUIRE

Attorney for the Plaintiff

VERIFICATION

I, Jeanne Jean Charles, verify that the statements made in the foregoing COMPLAINT are true and correct to the best of our knowledge, information, and belief. I, understand that false statements herein are made subject to the penalties of 18 Pa.C.S.A. §4904 relating to unsworn falsifications to authorities.

DocuSigned by:

JEANNE JEAN CHARLES
34DEF104FF6745B

FedEx Ship Manager - Print Your Label(s)

ORIGIN ID:N0XA (267) 907-9800
JENNIFER WALKER

777 TOWNSHIP LINE ROAD
SUITE 120
YARDLEY, PA 19087
UNITED STATES US

SHIP DATE: 17NOV21
ACTWGT: 1.00 LB
CAD: 1044029/NET4400

BILL SENDER

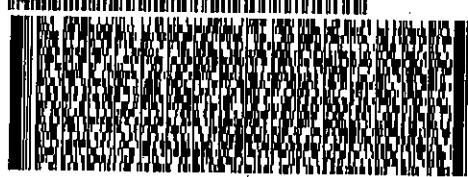
TO: **LEGAL DEPARTMENT**
WAL-MART STORES EAST, L.P.
702 SW 8TH STREET

BENTONVILLE AR 72716

(267) 907-9825
INV.
B-PO#

REF: 070820-00001

DEPT:



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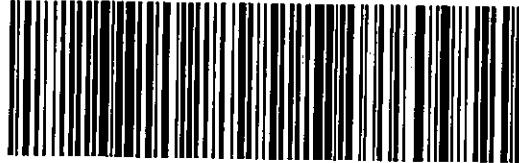
THU - 18 NOV 11:30A

PRIORITY OVERNIGHT

TRK#
0201 7752 3469 8886

72716
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11/17/21, 9:30 AM

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